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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAI'I

‘ILIO‘ULAOKALANI COALITION, a ) Civil No. 04-00502 DAE BMK  
Hawai'i nonprofit corporation; NĀ ‘IMI )  
PONO, a Hawai'i unincorporated ) SUPPLEMENTAL DECLARATION  
association; and KĀPUKA, a Hawai'i ) OF DAVID L. HENKIN; EXHIBITS  
unincorporated association, ) "8"-“9”  
)  
Plaintiffs, )  
)  
v. )  
)  
ROBERT M. GATES, Secretary of )  
Defense; and FRANCIS J. HARVEY, )  
Secretary of the United States )  
Department of the Army, )  
)  
Defendants. )  
)

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**DECLARATION OF DAVID L. HENKIN**

I, DAVID L. HENKIN, declare under penalty of perjury that:

1. I am an attorney at law, duly licensed to practice before this Court, and am the lead attorney for plaintiffs ‘Ilio‘ulaokalani Coalition, Nā ‘Imi Pono, and Kīpuka (collectively, “the Hawaiian Groups”) in this action.
2. I make this supplemental declaration in support of the Hawaiian Groups’ Motion To Clarify December 29, 2006 Order Setting Interim Injunction. This declaration is based on my personal knowledge, and I am competent to testify about the matters contained herein.
3. Attached hereto as Exhibit “8” are excerpts from a true and correct copy of the transcript of the hearing on interim injunction that took place on December 18, 2006.
4. Attached hereto as Exhibit “9” are true and correct copies of the signed Witness Certificate and Correction Sheet from the December 4, 2006 deposition of Ronald L. Borne (both dated December 12, 2006).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 26, 2007, at Honolulu, Hawai‘i.

/s/ David L. Henkin  
David L. Henkin